

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CEASAR M. BURRIS, JR.,)
)
Plaintiff,)
)
v.) Case No.: 14-CV-1023-SMY-PMF
)
JOHN DOE, 1 *et al.*,)
)
Defendants.)

DEFENDANT'S MOTION TO EXTEND DISCOVERY

Defendant, James Jones, in his official capacity as Chief of Police of the Cahokia Police Department, by his attorneys by his attorney, Daniel T. Corbett, respectfully moves this Honorable Court for the entry of an order allowing the parties to extend the discovery deadline currently set in this cause and in support thereof states as follows:

1. Ceasar Burris, Jr. (“Plaintiff”) filed his three-count Complaint with the United States District Court for the Southern District of Illinois on September 23, 2014, alleging constitutional claims of excessive force, equal protection and inadequate medical care against four (4) John Doe Defendants. (Doc. 1).
2. The Court issued a Scheduling and Discovery Order on January 30, 2015, setting the following deadlines:
 - a. All discovery must be completed by July 24, 2015;
 - b. All written discovery requests must be mailed to a party at least 30 days before the discovery deadline;
 - c. Any dispositive motions shall be filed by September 11, 2015; and
 - d. Jury Trial date set for October 17, 2016. (Doc. 16).

3. Defendant propounded requests for production and interrogatories onto Plaintiff on May 20, 2015. Defendant also issued initial disclosures to Plaintiff pursuant to Fed. R. Civ. P. 26(a) on May 20, 2015. Plaintiff answered Defendant's interrogatories on June 22, 2015. Plaintiff has not responded to Defendant's requests for production.

4. The Plaintiff filed his Amended Complaint on April 29, 2015 naming four (4) officers from the Cahokia Police Department and one (1) officer from the Dupo Police Department. (Docs. 19-20).

5. On May 8, 2015, this Court entered an Order denying the Amended Complaint and directing Plaintiff to file a motion for leave to file the amended complaint. (Doc. 21).

6. On June 17, 2015, Plaintiff filed his Motion for Leave to File an Amended Complaint. (Doc. 23). The Court has not yet ruled on Plaintiff's motion.

7. If the Plaintiff's Motion for Leave is granted, counsel filing the instant Motion for Extension of Discovery will appear on behalf of the four (4) newly named officers from the Cahokia Police Department.

8. However, an officer from the Dupo Police Department has also been named. This individual has not been served, nor has counsel filed an appearance on his or her behalf.

9. In an effort to avoid prejudice to the Plaintiff and duplicative discovery efforts by multiple parties, Defendant has refrained from scheduling the Plaintiff's deposition.

10. Thus, in anticipation of the Court granting Plaintiff's Motion for Leave to File an Amended Complaint, and the eventual service on and appearance of the Dupo Police Department officer, Defendant is requesting an extension of the discovery deadline to May 1, 2016 and the dispositive motion deadline to June 15, 2016.

11. As referenced, the Trial Date is not scheduled until October 17, 2016. As such, there will be no prejudice to any parties in extending the discovery schedule.

11. Good cause exists to grant Defendant's Motion at this time given the ability to avoid duplicative efforts and prejudice to the Plaintiff while maintaining the current Trial Date. This is the first request to extend the discovery deadline.

WHEREFORE, Defendant James Jones, in his official capacity as Chief of Police of the Cahokia Police Department, respectfully prays that this Honorable Court grant the Motion to Extend Discovery and extend the discovery deadline to May 1, 2016 and the dispositive motion deadline to June 15, 2016, and for any further relief as this Court deems appropriate.

Respectfully submitted,

**JAMES JONES, in his official capacity as
CAHOKIA POLICE DEPARTMENT'S
CHIEF OF POLICE**

By: s/Daniel T. Corbett
One of Defendants' Attorneys
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CERTIFICATE OF SERVICE

I hereby certify that on July 24, 2015, I electronically filed ***Defendant's Motion to Extend Discovery*** with the Clerk of Court using the CM/ECF system, and I will send notification of such filing to the following non-registered CM/ECF participant(s):

Ceasar Burris, Jr., B80496
Vienna Correctional Center
6695 State Route #146 East
Vienna, IL 62995

via U.S. Mail by placing true and correct copies thereof in a sealed envelope, proper postage prepaid and affixed thereon and placing same in the U.S. Mail receptacle located at 650 Dundee Road, Northbrook, Illinois, at or before the hour of 5:00 p.m. on July 24, 2015.

By: s/Daniel T. Corbett
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